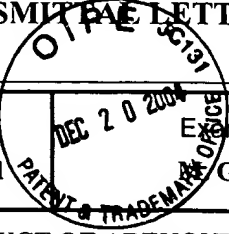
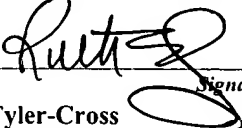


<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>					Docket No. <b>03940055AA</b>	
Applicant(s): <b>G. Ketner, et al.</b>						
Application No. <b>09/904,698</b>	Filing Date <b>July 13, 2001</b>		Examiner <b>G. Hill</b>	Customer No. <b>30743</b>	Group Art Unit <b>1648</b>	Confirmation No. <b>4755</b>
Invention: <b>USE OF GENE PRODUCT OF ADENOVIRUS EARLY REGION 4ORF-6 TO INHIBIT REPAIR OF DOUBLE-STRAND BREAKS IN DNA</b>						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	3 -	20 =	0 x	\$25.00	\$0.00	
INDEP. CLAIMS	1 -	3 =	0 x	\$100.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-2041</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 _____ Signature			Dated: <b>December 20, 2004</b>			
<b>Ruth Tyler-Cross</b> <b>Reg No. 32,635</b> <b>Whitham, Curtis &amp; Christofferson, P.C.</b> <b>11491 Sunset Hills Road, Suite 340</b> <b>Reston, Virginia 20190</b> <b>703-787-9400</b>			<div style="border: 1px solid black; padding: 5px;">         I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on           _____          (Date)       </div>			
CC:			Signature of Person Mailing Correspondence <b>HAND DELIVERED</b> Typed or Printed Name of Person Mailing Correspondence			



- 1 -

Cy 1648  
1/21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Ketner and Boyer

Serial No. 09/904,698

Group Art Unit 1648

Filed 07/13/2001

Examiner Hill

For ***"USE OF GENE PRODUCT OF ADENOVIRUS EARLY REGION 4 ORF-6 TO  
INHIBIT REPAIR OF DOUBLE-STRAND BREAKS IN DNA"***

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.111

Sir:

In response to the Office Action mailed September 22, 2004, please reconsider the above-identified patent application as follows:

**Amendments to the Claims** are indicated by the notation "currently amended" or "new" in the listing of claims beginning on page 2 of this paper.

**Remarks** begin on page 3 of this paper.